



EXHIBIT 9

Page 1 of 3

G. HARRISON SCOTT
CHAIRMAN OF THE BOARD

August 2, 2019

Honorable Jelena McWilliams
Chairman of the Board of Directors
Federal Deposit Insurance Corporation
550 17th Street, NW
Building MB-6028
Washington, DC 20429

Via Email

RE: Petition for an Order Directing the Executive Secretary to Provide All Documents and Documentation Incidental to the May 28, 2019 Board Meeting - FOIA Log Number 19-0244

Honorable McWilliams:

This is an appeal by Bank of Louisiana from a denial to furnish documents and documentation incidental to a Board Meeting on May 28, 2019.

On May 18, 2017, the FDIC filed A Notice of Assessment of Civil Money Penalty, Finds Of Fact And Conclusions of Law, Order To Pay And Notice Of Hearing alleging the Bank engaged in a pattern or practice of committing violations of the National Flood Insurance Act.

On May 28, 2019, "the Board adopts and affirms the Recommended Decision (by Administrative Law Judge Miserendino) and issues against the Bank an Order to Pay a Civil Money Penalty in the amount of \$136,000."

On July 19, 2019, Counsel requested a copy of the transcript or minutes of the May 28, 2019 meeting, together with Notice and any documents.

On July 30, 2019, the Bank was advised that there was no transcript nor any minutes as this was a Notational Meeting and the Board only had a Memorandum of Actions.

"Since your request does not seek access to FDIC agency records which presently exist, it cannot be processed further, and we are administratively closing our file."

To date, Counsel has received no documents and more particularly none incidental to a Memorandum of Actions. Copy of July 30, 2019 letter attached.

Honorable Jelena McWilliams
Chairman of the Board of Directors
Federal Deposit Insurance Corporation

August 2, 2019

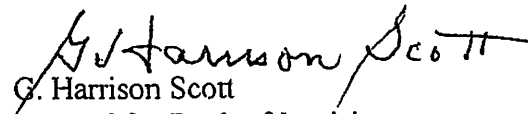
EXHIBIT 9

Page 2 of 3

Page - 2 -

It is respectfully requested that the Chairman order the Executive Secretary to furnish copies of all documents and documentation incidental to the May 28, 2019 meeting as well as the Memorandum of Actions of the Board.

Sincerely,


G. Harrison Scott
Counsel for Bank of Louisiana

/s/ Arthur A. Lemann, IV
Co-Counsel for Bank of Louisiana

Arthur A. Lemann, IV
Arthur A. Lemann, III & Associates, Inc.
1100 Poydras Street
Suite 3250
New Orleans, LA 70163
(504) 522-8104



Federal Deposit Insurance Corporation
550 17th Street, NW, Washington, DC 20429-9990

EXHIBIT 9

Legal Division
Page 3 of 3

July 30, 2019

Mr. G. Harrison Scott
Bank of Louisiana
300 St. Charles Avenue
New Orleans, LA 70130

FDIC FOIA Log Number 19-0244

Dear Mr. Scott:

This is in final response to your request of July 9, 2019, which is being processed under the Freedom of Information Act (FOIA), 5 U.S.C. §552. In your request, you ask for the following:

I am requesting a copy of a transcript of the Board Meeting of May 28, 2019. If there is no transcript, could you please furnish the reasons? In the alternative, please send me a copy of the minutes of the meeting, together with Notice and any documents. 12 C.F.R. 3118 Transcripts and Minutes of Meetings.

The FOIA permits a person to request access to agency records. Agency records are records that are (1) either created or obtained by an agency, and (2) under agency control at the time of the FOIA request. This meeting was conducted by notational vote and as such, there are no minutes or transcript of the meeting prepared. A "Memorandum of Actions of the Board of Directors of the FDIC" is prepared in these instances. Unfortunately, the Memorandum of Actions of the Board of Directors of the FDIC for the May 28, 2019 notational vote have not yet been finalized. Therefore, as the records you seek do not presently exist, there are no agency records of the FDIC to provide for your request.

Since your request does not seek access to FDIC agency records which presently exist, it cannot be processed further, and we are administratively closing our file. You may wish to submit a new FOIA request at a later date, when it is more likely that the Memorandum of Actions of the Board of Directors of the FDIC for May 28, 2019 will be in final form (they generally take about 3 months to finalize).

You may contact me at lsnider@fdic.gov or 703-562-2761, for any further assistance and to discuss any aspect of your FOIA request.

Sincerely,

Lisa M. Snider

Lisa M. Snider
Government Information Specialist
FOIA/Privacy Act Group, Legal Division